

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

YOLANY PADILLA, IBIS GUZMAN, BLANCA
ORANTES, BALTAZAR VASQUEZ,
Plaintiffs-Petitioners,

No. 2:18-cv-928 MJP

V.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (“ICE”); U.S. DEPARTMENT OF HOMELAND SECURITY (“DHS”); U.S. CUSTOMS AND BORDER PROTECTION (“CBP”); U.S. CITIZENSHIP AND IMMIGRATION SERVICES (“USCIS”); EXECUTIVE OFFICE FOR IMMIGRATION REVIEW (“EOIR”); MATTHEW ALBENCE, Acting Director of ICE; KEVIN MCALEENAN, Acting Secretary of DHS; MARK MORGAN, Acting Commissioner of CBP; KEN CUCCINELLI, Acting Director of USCIS; MARC J. MOORE, Seattle Field Office Director, ICE, WILLIAM BARR, United States Attorney General; LOWELL CLARK, warden of the Northwest Detention Center in Tacoma, Washington; CHARLES INGRAM, warden of the Federal Detention Center in SeaTac, Washington; DAVID SHINN, warden of the Federal Correctional Institute in Victorville, California; JAMES JANECKA, warden of the Adelanto Detention Facility;

JOINT STATUS REPORT AND ORDER STAYING CASE

**NOTE ON MOTION
CALENDAR: SEPTEMBER 10,
2020.**

Defendants-Respondents.

On September 8, 2020, the Court emailed counsel in this case and requested that counsel confer and file a status report on the following questions:

1. The status of the appeal in the Ninth Circuit.
 2. The likelihood of the case being ready for trial on October 19.
 3. Any other matters the parties feel would be helpful for the Court in deciding how to proceed from this point.

1 The parties have conferred and agree on the following:

- 2 1. On August 24, the Government filed a petition for a writ of certiorari of the Ninth
3 Circuit's decision, which has been docketed in the Supreme Court in case no. 20-234.
4 The petition is also available on Westlaw, *see Dept't of Homeland Security et al.,*
5 *Petitioners, v. Yolany Padilla, et al.*, 2020 WL 5092673.
6
7 2. The case will not be ready for trial on October 19.
8
9 3. In light of the pending petition for certiorari, the parties agree that the most efficient way
10 forward is to continue to stay this case while the petition for certiorari is pending, and if
11 the petition is granted, until the resolution of the case before the Supreme Court.
12 Accordingly, the parties have attached a proposed order staying the case to this filing,
13 with instructions that the parties should update the Court upon any decision by the
14 Supreme Court.

1 RESPECTFULLY SUBMITTED this 10th day of September, 2020.

2 s/ Matt Adams

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ORDER

Based on the foregoing stipulation of the parties, IT IS SO ORDERED. This case is STAYED during the pendency of the Government's petition for writ of certiorari at the Supreme Court, and if the petition is granted, the stay shall continue until resolution of the case at the Supreme Court. The parties are directed to confer and file a status report within seven (7) days of the issuance of the certified copy of the judgment of the Supreme Court decision denying the petition, or issuing a decision on the merits.

DATED this 11th day of September, 2020.

Wesley Belman

Marsha J. Pechman
United States Senior District Judge

CERTIFICATE OF SERVICE

I hereby certify that on September 11, 2020, I had the foregoing electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

/s/ Lauren C. Bingham
LAUREN C. BINGHAM
Senior Litigation Counsel

Attorney for Defendants-Respondents